

AN ORDINANCE

01-0-1728

BY: COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE

AN ORDINANCE AUTHORIZING THE MAYOR TO DIRECT THE DEPARTMENT OF PLANNING, DEVELOPMENT, AND NEIGHBORHOOD CONSERVATION (BUREAU OF NEIGHBORHOOD CONSERVATION) TO DEMOLISH AND CLEAN THE PREMISES OF VARIOUS STRUCTURES, PURSUANT TO ARTICLE III OF THE ATLANTA HOUSING CODE AND A HEARING CONDUCTED BY THE IN REM REVIEW BOARD ON September 27, 2001

541 English Avenue, NW	03
1396 Kennesaw Drive, NW	03
1163 Morley Avenue, SE	01
976 Sloan Circle, SE	01
1094 Welch Street, S.	04

WHEREAS, on March 16, 1987, the Council of the City of Atlanta adopted an Ordinance entitled, "The Atlanta Housing Code of 1987"; and the same was approved by the Mayor of the City of Atlanta on March 24, 1987; and

WHEREAS, on September 27, 2001, pursuant to the Atlanta Housing Code of 1987, Article III; entitled "In Rem Procedures", hearings were held after due notice to owner(s) of and/or parties in interest before the In Rem Review Board regarding certain structures believed to be unfit for occupancy or habitation and to be in violation of Article III; and

WHEREAS, September 27, 2001, The In Rem Review Board determined that the structures on the real property more fully identified hereinafter, were unfit for human occupancy or habitation and could not be improved, repaired, or altered at a cost of fifty percent (50%) or less of the value of structures, exclusive of the foundation and lots after the improvements have been made; and

WHEREAS, the In Rem Review Board did state in writing these findings of fact in support of such determination and the In Rem Review Board issued and caused to be served upon the owner(s) of and /or parties in interest, an Order requiring the owner(s) and/or parties in interest demolish such structures, clean the premises and plant grass on the lot pursuant to Section 33 (3) c of the Atlanta Housing Code; and

WHEREAS, a period of 30 days from the date of said Order was allowed for the owner(s) and/or parties in interest to comply with the Order; and

WHEREAS, the owner(s) and/or parties in interest of the properties failed to comply with the Order of the In Rem Review Board within the specified time.

NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA AS FOLLOWS:

SECTION 1: That the Mayor is authorized to direct the Department of Planning, Development, and Neighborhood Conservation (Bureau of Neighborhood Conservation) to forthwith demolish and clean the following real property, upon which structure(s) are located:

<u>Proper Street Address</u>	<u>City Council District</u>
541 English Avenue, NW	03
1396 Kennesaw Drive, NW	03
1163 Morley Avenue, SE	01
976 Sloan Circle, SE	01
1094 Welch Street, SE	04

SECTION 2: That the Mayor is hereby authorized to direct the Department of Planning, Development, and Neighborhood Conservation (Bureau of Neighborhood Conservation) to perform the following specific duties at the above mentioned properties:

- (1) Vacate the structures, (if occupied).
- (2) Demolish the structures and clean the premises.
- (3) Plant grass in conformance with the Order of the In Rem Review Board
- (4) File a lien against the real property on which the structures(s) are attached
In an amount necessary to recover the costs incurred by the City of Atlanta

SECTION 3: That the Mayor is further authorized to allow the Department of Planning, Development, and Neighborhood Conservation (Bureau of Neighborhood Conservation) to engage the professional services of any of the City of Atlanta's pre-qualified contractors to conduct the appropriate duties listed in **SECTION 2** of this ordinance.

SECTION 4: That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

A true copy,


Municipal Clerk, CMC

ADOPTED by the Council
APPROVED by the Mayor

NOV 19, 2001
NOV 27, 2001

TO WHOM IT MAY CONCERN:

Notice is hereby given that a complaint was filed by the City of Atlanta against:

Beulah Le Broughton
The Pilgrim Health and Life Insurance company of Augusta, Georgia

on 9-7-01 in the Bureau of Neighborhood Conservation of the City of Atlanta, Georgia,
seeking relief against the following described real estate, to-wit:

All that tract or parcel of land lying and being in the City of Atlanta, in Land Lot 111 of the 14th District of Fulton County, Georgia, and more particularly described as follows:

BEGINNING on the east side of English Avenue at a point one hundred forty (140) feet south of the southeast corner of North Avenue and English Avenue; thence running south along the east side of English Avenue eighty (80) feet; thence east one hundred ten (110) feet to an alley; thence north along the west side of said alley eighty (80) feet; thence west one hundred and ten (110) feet to English Avenue at the point of beginning, being improved property known as No. 541 English Avenue, N. W., according to the present system of numbering houses in the City of Atlanta, Georgia.

The relief sought as to said property being to vacate, clean and close, remove or demolish such buildings, dwellings, or structures (and clean the premises thereof) found to be unfit for human habitation. This notice is filed in the Office of the Clerk of Superior Court of Fulton County, Georgia, to be recorded as provided by Georgia laws 1966, page 3089, so that said complaint shall act as a lis pendens as to such real property.

Dated: September 7, 2001

BY:

Dale S. Hygon
Bureau of Neighborhood Conservation, Official Agent

BY:

Bill Cantus
Assistant Real Estate City Attorney

TO WHOM IT MAY CONCERN:

Notice is hereby given that a complaint was filed by the City of Atlanta against:

Idella S. Willis

on 9-7-01 in the Bureau of Neighborhood Conservation of the City of Atlanta, Georgia, seeking relief against the following described real estate, to-wit:

all that tract or parcel of land lying and being in Land Lot 143 of the 14th District of Fulton County, Georgia more particularly described as follows: BEGINNING at a point on the southern side of Kennesaw Drive Northwest two hundred seventy-five (275) feet westerly from the southwest corner of Kennesaw Drive and Chappell Road; thence southerly one hundred eighty-eight feet (188) thence west fifty (50) feet; north one hundred seventy-five (175) feet to Kennesaw Drive; thence easterly along the southern side of Kennesaw Drive fifty (50) feet to the point of beginning, being improved property known as 1396 Kennesaw Drive Northwest, according to the present system of number houses in the City of Atlanta, Fulton County, Georgia.

The relief sought as to said property being to vacate, clean and close, remove or demolish such buildings, dwellings, or structures (and clean the premises thereof) found to be unfit for human habitation. This notice is filed in the Office of the Clerk of Superior Court of Fulton County, Georgia, to be recorded as provided by Georgia laws 1966, page 3089, so that said complaint shall act as a lis pendens as to such real property.

Dated: September 7, 2001

BY:

Idella S. Willis
Bureau of Neighborhood Conservation, Official Agent

BY:

Bill Carter
Assistant Real Estate City Attorney

TO WHOM IT MAY CONCERN:

Notice is hereby given that a complaint was filed by the City of Atlanta against:

William W. Baker, III
Mark Brandwine
Wells Fargo Home Mortgage, Inc.
Wells Fargo Bank West, N.A.

on 9-7-01 in the Bureau of Neighborhood Conservation of the City of Atlanta, Georgia,
seeking relief against the following described real estate, to-wit:

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT(S) 23 OF THE 14TH DISTRICT, FULTON COUNTY, GEORGIA, BEING LOTS 6, 7, 19 AND 20, BLOCK "10", OF BOULEVARD HEIGHTS SUBDIVISION AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ALL THAT TRACT AND PARCEL OF LAND BEGINNING AT A POINT 125 FEET SOUTH OF THE SOUTHEAST CORNER OF FRANCES AVENUE AND LONETTA AVENUE, THENCE WEST 250 FEET TO MORLEY AVENUE, THENCE SOUTH 100 FEET, THENCE WEST 250 FEET TO MONETTA AVENUE, THENCE NORTH 100 FEET TO POINT OF BEGINNING. AND BEING KNOWN AS 1163 MORLEY AVENUE IN ACCORDANCE WITH THE PRESENT NUMBERING SYSTEM OF FULTON COUNTY.

The relief sought as to said property being to vacate, clean and close, remove or demolish such buildings, dwellings, or structures (and clean the premises thereof) found to be unfit for human habitation. This notice is filed in the Office of the Clerk of Superior Court of Fulton County, Georgia, to be recorded as provided by Georgia laws 1966, page 3089, so that said complaint shall act as a lis pendens as to such real property.

Dated: September 7, 2001

BY:

Dale S. Haygood
Bureau of Neighborhood Conservation, Official Agent

BY:

Bill Carstyn
Assistant Real Estate City Attorney

TO WHOM IT MAY CONCERN:

Notice is hereby given that a complaint was filed by the City of Atlanta against:

K. Bekersky, as trustee of Long Branch Land Trust
Leslie Steven Leighton, & Deborah G. Leighton
Nick Protos, James R. O'Neil, and Patricia J. O'Neil
City of Atlanta, N.T.F., Inc. (National Tax Funding, Inc.)

on 9-7-01 in the Bureau of Neighborhood Conservation of the City of Atlanta, Georgia,
seeking relief against the following described real estate, to-wit:

**ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 9,
OF THE 14TH DISTRICT, OF FULTON COUNTY, GEORGIA AND BEING LOTS
86, 85, 84 AND 83, OF WOODLAWN ESTATES, AS PER PLAT THEREOF
RECORDED IN PLAT BOOK 22, PAGE 51, FULTON COUNTY, GEORGIA
RECORDS, WHICH PLAT IS INCORPORATED HEREIN BY REFERENCE AND
MADE A PART HEREOF; BEING IMPROVED PROPERTY KNOWN AS 976 SLOAN
CIRCLE, S.E., ATLANTA, GEORGIA 30316.**

The relief sought as to said property being to vacate, clean and close, remove or demolish such buildings, dwellings, or structures (and clean the premises thereof) found to be unfit for human habitation. This notice is filed in the Office of the Clerk of Superior Court of Fulton County, Georgia, to be recorded as provided by Georgia laws 1966, page 3089, so that said complaint shall act as a lis pendens as to such real property.

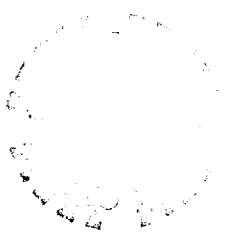
Dated: September 7, 2001

BY:

Dale S. Hygroth
Bureau of Neighborhood Conservation, Official Agent

BY:

Bill Cantys
Assistant Real Estate City Attorney



TO WHOM IT MAY CONCERN:

Notice is hereby given that a complaint was filed by the City of Atlanta against:

Linda Wilcoxson
IMC Mortgage Company, a Florida Corporation, as successory by merger to
Industry Mortgage Company, LP
James Watkins

on 9-7-01 in the Bureau of Neighborhood Conservation of the City of Atlanta, Georgia,
seeking relief against the following described real estate, to-wit:

All that tract or parcel of land lying and being in Land Lot 87 of the
14th District, Fulton County, Georgia, and being more fully described as
follows:

BEGINNING at an iron pin located on the northeasterly right of way line
of Welch Street two hundred (200) feet southeasterly, as measured along
the northeasterly right of way line of Welch Street from the point of
intersection of the northeasterly right of way line of Welch Street with
the south right of way line of Fletcher Street running thence
southeasterly along the northeasterly right of way line of Welch Street
fifty (50) feet to an iron pin; running thence northeasterly one hundred
five (105) feet to a point located on the southwesterly side of a
10-foot alley; running thence northwesterly along the southwesterly side
of said alley, fifty (50) feet to an iron pin; running thence
southwesterly, one hundred four (104) feet to an iron pin located on the
northeasterly right of way line of Welch Street at the point of
beginning; at said point forming an interior angle of 89 degrees 20
minutes with the northeasterly right of way line of Welch Street; being
known as Lot 5, Block 18, Reeves Property and being improved property
known as 1094 Welch Street, according to the present system of numbering
houses in the city of Atlanta, Fulton County, Georgia.

The relief sought as to said property being to vacate, clean and close, remove or demolish such buildings,
dwellings, or structures (and clean the premises thereof) found to be unfit for human habitation. This
notice is filed in the Office of the Clerk of Superior Court of Fulton County, Georgia, to be recorded as
provided by Georgia laws 1966, page 3089, so that said complaint shall act as a lis pendens as to such
real property.

Dated: September 7, 2001

BY:

Dale A. Hargrett
Bureau of Neighborhood Conservation, Official Agent

BY:

Bill Carter
Assistant Real Estate City Attorney

RCS# 3294
11/19/01
5:09 PM

Atlanta City Council

Regular Session

MULTIPLE

01-O-1727 Clean & Close
01-O-1728 Demolish & Clean
ADOPT

YEAS: 10
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 0
ABSENT 3

Y McCarty	B Dorsey	Y Moore	Y Thomas
B Starnes	NV Woolard	Y Martin	Y Emmons
Y Bond	B Morris	Y Maddox	Y Alexander
NV Winslow	Y Muller	Y Boazman	NV Pitts

MULTIPLE

01-0-1728

(Do Not Write Above This Line)

ORDINANCE BY: COMMUNITY DEVELOPMENT/
HUMAN RESOURCES COMMITTEE

AN ORDINANCE AUTHORIZING THE MAYOR TO
DIRECT THE DEPARTMENT OF PLANNING,
DEVELOPMENT AND NEIGHBORHOOD CONSERVATION
(BUREAU OF NEIGHBORHOOD CONSERVATION) TO
DEMOLISH AND CLEAN THE PREMISES OF VARIOUS
STRUCTURES, PURSUANT TO ARTICLE III OF THE
ATLANTA HOUSING CODE AND A HEARING
CONDUCTED BY THE IN REM REVIEW BOARD ON
September 27, 2001

541 English Avenue, NW 03
1396 Kennesaw Drive, NW 03
1163 Morley Avenue, SE 01
976 Sloan Circle, SE 01
1094 Welch Street, SE 04

ADOPTED BY
NOV 19 2001
COUNCIL

- ☒ CONSENT REFER
☐ REGULAR REPORT REFER
☐ ADVERTISE & REFER
☐ 1st ADOPT 2nd READ & REFER
☐ PERSONAL PAPER REFER

Date Referred 11/5/01

Community Development / Human Resources
Referred To:

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee

Date

Chair

Referred to

11/3/01
CD/HR
Shirley H. Hester
CD/HR

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

FINAL COUNCIL ACTION

- ☒ 2nd ☐ 1st & 2nd ☐ 3rd
Readings
☐ Consent ☐ V Vote ☒ RC Vote

CERTIFIED

CERTIFIED
NOV 19 2001

ATLANTA CITY COUNCIL PRESIDENT

James E. Johnson

CERTIFIED
NOV 19 2001

Shirley H. Hester
MUNICIPAL CLERK

MAYOR'S ACTION

NOV 27 2001

Keith C. Williams